IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Crl.Rev.Pet.No. 1559 of 2007()

CRA.676/2004 of ADDL. SESSIONS COURT, THRISSUR
ST.383/2003 of CHIEF JUDICIAL MAGISTRATE COURT, THRISSUR

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REVN. PETITIONER: APPELLANT/ACCUSED

A.MERCY, D/O.SIMON, AGED 59 YEARS,
GRAMASEVIKA, PAZHAYANNUR BLOCK PANCHAYAT OFFICE,
P.O.PAZHAYANNUR, THRISSUR DISTRICT.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE.

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1. K.RADHAKRISHNAN, S/O.BHASKARA MENON,
KATTAYIL HOUSE, OLARIKKARA, P.O.PULLAZHI,
THRISSUR.

2. THE STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SMT. LATHA THANKAPPAN

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1559 of 2007

Dated this the 10th day of April, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to pay a fine of Rs.1,00,000/- and in default, to undergo simple imprisonment for one month. The fine amount, if realised, Rs.90,000/- is ordered to be given to the complainant as compensation vide Section 357(1) of the Code of Crl.P.C.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the fine amount. In the circumstances, the sentence is modified to pay a fine of Rs.90,000/- and in default, to undergo simple imprisonment for three months. The fine amount, if realised shall be paid to the complainant. Revision petitioner is granted six months' time from today onwards to remit the fine amount. He shall appear before the Chief Judicial Magistrate Court-II, Thrissur on 10.10.2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl